

ORDINANCE 1072

AN ORDINANCE OF THE CITY OF DAVENPORT, WASHINGTON, RELATING TO BICYCLE AND PEDESTRIAN FACILITIES ALONG TRANSPORTATION FACILITIES; RELATING TO THE CITY BUILDING AND CONSTRUCTION CODE CONTAINED IN TITLE 12 OF THE DAVENPORT MUNICIPAL CODE; ADDING SECTION 12.32.030 COMPLETE STREETS OF DMC CHAPTER 12.32 CONSTRUCTION GUIDELINES FOR ROADWAYS.

WHEREAS, in 2007, the United States Congress passed the Energy Independence and Security Act, which outlines the Congressional policy regarding use of Complete Streets design techniques; and

WHEREAS, in 2011, Washington State Legislature Passed the State Complete Streets Bill (ESHB 1071) creating a complete streets grant program to encourage street designs that safely meet the needs of all users and also protect and preserve a community's environment and

WHEREAS, the City Council desires to have pedestrian and non-motorized facilities integrated with the overall transportation network; and

WHEREAS, walking and biking are non-motorized travel modes that enhance health through physical activity and help to reduce air pollution; and

WHEREAS, the Comprehensive Plan Goals include providing safe and environmentally friendly transportation as well as emphasizing transportation choices; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DAVENPORT, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Section 12.32.030 Complete Streets of Chapter 12.32 Construction Guidelines For Roadways of the Davenport Municipal Code is hereby amended by the addition of a definition of Complete Streets to read as follows:

“Complete street” means a road that is designed to be safe for drivers; bicyclists; transit vehicles and users; and pedestrians of all ages and abilities. The complete streets concept focuses not just on Individual roads but on changing the decision-making process so that all users are routinely considered during the planning, designing, building and operating of all roadways.

A. The City of Davenport will plan for, design and construct all new transportation projects to provide appropriate accommodation for bicyclists, pedestrians, transit users and persons of all abilities in comprehensive and connected network with the following exceptions:

1. Where their establishment would be contrary to public health and safety; or
2. Where there is no identified long-term need; or
3. Where there are significant adverse environmental impacts to streams, wetlands, steep slopes, or other critical areas; or
4. Where there are significant adverse impacts on neighboring land uses, including impacts from right-of-way acquisition; or

5. Where the Street Superintendent grants a documented exception which may only be authorized in specific situations where conditions warrant. Such site-specific exceptions shall not constitute general changes to the standards set in DMC 12.32.030.

B. Except in unusual or extraordinary circumstances, complete streets principles may not apply to the following.

1. Repairs made pursuant to pavement opening and restoration allowed by approval of the Street Superintendent.
2. Ordinary maintenance activities designed to keep assets in serviceable condition (e.g., mowing, cleaning, sweeping, spot repair and surface treatments such as chip seal, or interim measures on detour or haul routes).

C. Complete streets may be achieved through single projects or incrementally through a series of smaller improvements or maintenance activities over time. All sources of transportation funding should be drawn upon to implement complete streets. Maximum financial flexibility is important to implement complete streets principles.

D. Street design must provide for the maximum loading conditions anticipated. The width and grade of the pavement must conform to specific standards set forth herein for safety and uniformity.


Section 2. Amendment of Prior Ordinances. City of Davenport Ordinance No. 962 and Ordinance No. 532 are hereby amended as necessary by this Ordinance to reflect the amendments contained in this Ordinance.


Section 3. Severability. If any section, sentence, clause or phrase of this Ordinance or any documents incorporated by reference thereto, shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance or the documents adopted by reference pursuant to this Ordinance.

Section 4. Effective Date. This Ordinance, or a summary thereof consisting of the title, shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

PASSED by the City Council and APPROVED by the Mayor on the 8th day of May, 2013.

ATTEST:


Karen Carruth, Mayor


David Leath, Clerk –Treasurer